

REMARKS

Applicant's attorney is appreciative of the telephone interview granted by Examiner Bell on January 6, 2009. In the course of that interview, Applicant's attorney pointed out in detail the differences in structure between the claimed invention and the cited references, in particular the presence of both a mechanical linkage between the conductor and the anode, and a brazed metallic joint at the open end of the anode, and Examiner Bell suggested amendments to the claims to further define this improvement.

In accordance with the discussion at the interview, Claims 38 and 55 have now been amended to recite that the brazed joint or brazing material is disposed "directly" between the conductor and the anode, at at least part of at least one anode connection surface at the open end of the anode, and at at least part of at least one conductor connection surface at the connection end of the conductor. The amendment further defines the connection surfaces as an anode connection surface and a conductor connection surface, respectively, and indicates a brazed metallic join directly therebetween.

Claims 38-57, 63-64, 67-68, 70-71 and 73-74 have been rejected under 35 USC 103(a) over D'Astolfo, Jr. et al in combination with Secrist et al.

The claims as amended are thought to clearly distinguish over this combination of references. In particular, D'Astolfo, Jr. et al, in Figure 3, discloses an anode of a similar shape as the anode of the invention, to which a conductor is attached. While D'Astolfo Jr. et al discloses that the connection may be made by brazing, there is no evidence that there is actually a brazed connection in the disclosed embodiment. Rather, the connection is a sintered connection, formed by filling the bottom of the anode with a

mixture of copper powder and copper beads, followed by sintering to attach the copper core of the conductor to the inside of the anode (See column 3, lines 6-11). There is an additional material within the anode shown in Fig. 3 which is not designated with a reference numeral, but it is thought to be a protective material which reduces corrosion of the connectors and the interface between the connectors and the inert anodes, as disclosed at column 2, lines 61-65. The only anode surface which could be directly brazed to the conductor is the surface at the bottom of the anode, and contrary to the statement made on page 5 of the Office action, it would not be possible to extend this brazed connection up to the top of the opening, since there is no close proximity which would permit brazing between the conductor and the anode at the top of the anode. Indeed, only the protective material is present at the top of the anode, making a direct connection between the anode and connector impossible.

The Secrist et al reference discloses a brazed joint between an anode and a conductor, but the embodiment which most resembles both the invention and D'Astolfo Jr. et al is Figure 4, in which the brazed joint is limited to the bottom surface of the anode, as it would be in D'Astolfo Jr. et al. There is no disclosure of how one would continue a brazed joint up the walls of such an anode. While Figures 2 and 3 of Secrist et al do disclose a brazed joint around the entirety of the conductor within the anode, the anodes are not of the "ladle" type, as presently claimed.

Moreover, neither D'Astolfo Jr. et al nor Secrist et al discloses the mechanical linkage between the anode and the conductor; at most, Secrist et al discloses a force fit, but in any event, closely fitted surfaces are necessary in order to obtain a brazed joint, and nothing more than a brazed joint is disclosed.

Withdrawal of this rejection is requested.

The allowability of Claims 58-62, 65-66, 69 and 72 has been noted.

In view of the foregoing amendments and remarks, Applicant submits that the present application is now in condition for allowance. An early allowance of the application with amended claims is earnestly solicited.

Respectfully submitted,



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